

6.10.13 Conservation Commission Minutes

Minutes of the Taunton Conservation Commission June 10, 2013

Present: Chair Brian Marques, Vice Chair Debra Botellio, Commissioners Steven Turner, Renny Chapman, and Neil Kelly. Absent: Marla Isaac and Ernest Enos.

Motion to approve the minutes of the previous meeting, vote at next meeting on July 15, 2013.

Continued Certificate of Compliance

1. 68 Dunbar Street, Cabral, (COC), SE73-2521 Field report states that this filing was continued as the lawn was not grown in sufficiently to be considered stable. On MR's field inspection today, all lawn areas are stable and the lawn has been mowed at least one time. MR recommends that the TCC issue a COC for this filing. Motion to approve COC, DB, second ST, so voted.

Certificate of Compliance

1. Prospect Hill Street, City of Taunton-DPW, (COC), SE73-2460 Field report states that this project was for the replacement of an existing 36" corrugated metal pipe with a 36" reinforced concrete pipe under Prospect Hill Street. Existing headwalls were also replaced. This pipe is a conduit for an intermittent stream that flows east to west from Raynham to Taunton. The condition of the pipe was poor and required replacement, especially before anticipated additional traffic from the new development to the north of the project. The portion of the project within Taunton extends from the centerline of Prospect Hill Street west. All work has been completed in significant compliance to the order of conditions issued on 12/27/10. All work is stable and there is no indication of siltation into the wetland. MR recommends that the TCC issue a COC for this project. Motion to approve COC for this project, ST, second DB, so voted.

2. 60 Hodges Ave, MA Div. of Ecological Restoration, (COC), SE73-2466 Field report states that this project was for the removal of the dam located on the grounds of Mass State Hospital for the purpose of restoring natural river processes and aquatic habitat on Mill River, and restoring the former impoundment to floodplain forest with stream passing through it. The project involved the removal of an eight-foot high dam with a 5.2 acre impoundment and restoring connectivity and aquatic habitat in the lower Mill River. Additional work on site included the excavation and reshaping of the accumulated sediment within the impoundment area, digging a new streambed, adding pools and riffles and using large woody debris to stabilize banks and create habitat. Native vegetation was planted within the newly created floodplain and riparian zones. All work has been completed in significant compliance to the order of conditions issued on 4/15/11. MR recommends that the TCC issue a COC for this project.

Motion to approve COC, NK, second DB, so voted.

Motion to go out of order ST, second DB, so voted.

Public Meetings

1. Sydney's Way, DiCarlo, (RDA), DSE-1055 Field report states that this project is for the construction of a 16'x24' deck with bench seating. The work area is at least 44 feet from the nearest flag and all work will be done by hand. The wetlands were still under approval in 2011 when the house was finally built, and are therefore still in effect. Prior to the commencement of work, a siltation barrier should be installed in case of siltation running toward the wetland. With this in place, the work as presented should not negatively impact the wetland area. MR recommends that the TCC issue a negative determination to include the attached special conditions. Motion to open the hearing, DB, second ST, so voted. **(RC arrived)** Present John DiCarlo homeowner. MR asked if the homeowner would use straw wattles, he agreed. DB asked if all work will be done by hand? Mr. DiCarlo said yes. Motion to approve with special conditions 1, 2, and 4, DB, second ST, so voted. Motion to close and revert to the regular order of business, DB, second ST, so voted.

Continued Public Meetings

1. 1219 Bay Street, Baptista, (RDA), DSE-1054 Field report states that this filing is for the proposed construction of an attached 24' x 26' two car garage with an upstairs bedroom which falls within the 100 foot buffer zone to Lake Sabbatia. The garage is 80 feet from the lake at its closest point and will be placed on a concrete pad. The area where the garage will be located is flat and the land remains flat up to 22 feet from the shore where it drops off steeply at almost a 1:1 slope to the edge of the water. The project as

presented will not negatively impact the lake, therefore MR recommends that the TCC approve this project and issue a negative determination to include the attached special conditions. Homeowner Mr. Baptista is present. RC said along the 75 contour cut across in front of the 18 inch maple, to the deck, put in a siltation barrier. Motion to issue a negative determination with conditions 1, 2, 3, 4, 18, and 19, NK, second RC, DB voted No Motion passes 4-1. Motion to close, ST, second RC, so voted.

Public Meetings

1. 51 Glebe Street, Brophy, (RDA), DSE-1056 Field report states that this project is for the razing of an existing 10'x20' garage, constructing a 24'x32' garage, and decreasing the size of the paved driveway, all within 100 feet of an adjacent BVW. MR reviewed the wetland which was flagged by SFG Associates and is in agreement with the placement of the flags. No work is planned in the 25 foot WPZ and a siltation barrier is depicted as the limit of work and will be at least 51 feet from the BVW at its closest point.

Grading on the site will fall within 60 feet of the wetland at flag #6, while the excavation of a portion of the existing drive and conversion to a landscaped area will fall within 66 feet of flag #1 at the headwall. The new garage will be 74 feet from the BVW at its closest point. The work as proposed does not cause a threat to the adjacent BVW, therefore MR recommends that the TCC issue a Negative Determination to include the attached special conditions and approve the wetland designated by flags 1 through 18, with flags 19 to 22 for reference purposes only. Present Steve Gilbert from SFG Associates. Motion to open the hearing, DB, second RC, so voted. Motion to issue a negative determination with conditions 1, 2, 3, 4, 14, 18, and 19, RC, second NK, so voted. Motion to close the hearing, DB, second RC, so voted.

Motion to go out of order, ST, second DB, so voted.

Cub Scouts & Parents-

Alex, Steven, Nathan, Janelle-Den Leader, Holly-Assistant Den Leader, Lisa-parent. They built birdhouses and planted flowers at Boyden. 10 scouts took part in the project. Motion to display the cub scouts posters/pictures at Boyden, DB, second ST, so voted.

Motion to revert back to the regular order of business, DB, second ST, so voted.

Continued Public Hearing

1. 8 Davis Street, Levesque, (NOI), SE73-2540 Field report states that this project is for the proposed installation of an 18'x35' metal shed onto a concrete slab at the above address. This property is within the 100 foot buffer zone of a BVW, the Three Mile River ACEC, and NHESP Priority Habitat of Rare Species and Estimated Habitat of Rare Wildlife. The end of the shed will be 39 feet from the wetland. The property gently slopes to the wetland area. The Applicant should put up a temporary silt fence prior to construction. The work as presented will not negatively impact the wetland. We have received a letter from Natural Heritage which states that it will not adversely affect the habitat of state protected rare wildlife species. MR recommends that the TCC approve this project and issue an order of conditions to include the attached special conditions. Motion to open, DB, second ST, so voted. Motion to approve with special conditions 1, 2, 3, 4, 5, 21, and 25, ST, second RC, so voted. Motion to close, DB, second ST, so voted.

Public Hearings

1. Bluegrass Circle, TLC Development, Inc., (NOI), SE73-2541 Field report states that this project is for the construction of a single family home with septic system, utilities, and associated grading, that falls within the 100 foot buffer zone of a BVW. The wetland line was approved and an ORAD issued on 1/13/10. The subdivision, of which this lot is part of, was issued an order of conditions on 4/28/10 under DEP SE73-2429. A siltation barrier is depicted at a minimum of 50 feet from the BVW and is the limit of work. Grading comes to within 61 feet and the house will be 76 feet from the wetland. Roof runoff will be directed to a roof drain infiltration system located in the rear of the house while the septic system will be located in the front of the lot and outside the 100 foot buffer zone. The work as proposed should not negatively impact the BVW therefore MR recommends that the TCC issue an order of conditions to include the attached special conditions. Brian Grady present from GAG Engineering for Lopes. Motion to open DB, second ST, so voted. Motion to approve with conditions 1, 2, 3, 4, 5, 17, 19, 21, 23, 25, 26, and 27, RC, second ST, so voted. Motion to close DB, second RC, so voted.

(RC out)

2. 480 John Hancock Road, Henderson, Taunton Development Corporation, (NOI), SE73-2545 Letter read requesting continuance. Motion to continue to 7/15/13, ST, second DB, so voted.

2. 480 John Hancock Road, Laughlin, (NOI), SE73-2543 Motion to open, DB, second ST, so voted. Motion to continue to 7/15/13, DB, second NK, so voted.

3. 28 General Cobb Street, Browne, (NOI), SE73-2542 Motion to continue to 7/15/13, DB, second ST, so voted.

(RC back)

4. 120 Highland Street, Garanito, Hawthorne Development, (ANRAD), SE73-2544 Field report states that this filing is to

verify and approve the wetland line located at the above address. The wetland was flagged by Dr. Walter Hewitson on 4/11/13 and is best accessed via Hoover Street. MR reviewed the wetland line and is in agreement with the placement of the flags located at the southwest corner of the property. The wetland was not flagged along the northern part of the property which would have more accurately defined the location of the wetlands. As a result, the area north and east of this line will be considered wet for the next three years. MR informed the engineer of this, and the owner is in agreement with this determination. MR recommends that the TCC approve the wetland line, flags 1 through 19, and issue an ORAD. Paul Patnaude and John Garanito present. Motion to open, DB, second RC, so voted. Motion to approve the wetland line as read and approve ANRAD, ST, second NK, so voted. Motion to close, DB, second NK, so voted.

Motion to go out of order DB, second ST, so voted.

Other Business

1. Boyden Update. 1. Camera-MR said it will be in soon, going to find a place high up, 2. The Sheriff's Dept came out to install pipe to fragrance garden to water it, had it almost done came back next day and it had all been dug up again. It is finished now, work had to be done all over again, 3. Gate-still nobody to lock it.

Motion to go back to the regular order of business, ST, second NK, so voted.

Public Hearings

1. 37 Cushman Street, Bucci, Jr/Taunton, LLC, (NOI), SE73- Field report states that this project is for the construction of new storm water BMPs, including grading, a swale, and a retention basin to fulfill requirements of an Administrative Consent Order issued by DEP on 6/22/11. All work will be done within the 100 foot buffer zone of three BVWs as delineated by Wetland Strategies, Inc. on 5/23/13. Work will be done both on the Applicant's property as well as on property owned by Old Colony Railroad. Wetland Series A is located to the west of the property and across the Old Colony Railroad Tracks. Currently an 18" pipe connects a detention basin on this property to the wetland on the other side of the tracks. This series is delineated using flags 1A to 13A. There is a steep slope that defines the edge of this wetland. Wetland series B is located on City property just off to the south of series A. This series is delineated using flags B1 to B7. This wetland borders a pond to the south between two railroad tracks.

Wetland series D is on the railroad property in the east and is delineated using flags D1 to D7. This property is considered LUHPPLs. This project will improve the storm water drainage system in order to reduce pollutant loads. Part of this plan will be to keep the existing salt pile covered to minimize runoff. The proposed swale and retention basin will be designed to reduce the peak rate and volume of total suspended solids that currently end up in the wetlands. They will minimize infiltration to groundwater and allow for removal of sediments within the basin per the company's O & M plan. In November 2010 a complaint regarding blue water in the stream near wetland A was called in and investigated by DPW, Conservation, and DEP. It was determined that the anti-caking agent, sodium ferrocyanide, was leaching out of the unprotected salt pile. It was determined that the water was not toxic but that the owner at the time, Gallo construction, needed to improve conditions at the site to include covering the salt stockpile. The proposed site improvements should prevent future untreated discharges into the adjacent wetland systems. MR recommends that the TCC approve this project and issue an order of conditions to include the attached special conditions. MR also recommends that the TCC approve the wetlands as presented above and displayed on the plan titled Salt Storage Facility, dated 5/24/13. We are still waiting for a DEP number. Motion to open the hearing, DB, second ST, so voted. Motion to approve pending DEP #, MR can change special conditions if needed, with conditions 1, 2, 3, 4, 5, 11, 17, 20, 21, 25,26, and 27, to close when DEP sends MR the number, ST, second RC, NK abstain 4-1 passes.

Violations

1. Williams Street. Motion to continue to 7/15/13, ST, second DB, so voted.

2. 60 Phyllis Drive. Motion to continue to 7/15/13, ST, second DB, so voted.

3. 70 Crane Ave. North. MR did go out to the property and has been speaking with as well as working with the owner. Owner said he was not aware that the area he was dumping things in was wetlands, thought it was only on the other side. He hired an engineer who told him everything was filed, it wasn't. Motion to follow MR's recommendation and remove violation, ST, second DB, so voted.

Other Business

1. ST said Father Cook from Holy Family Church in East Taunton, would like to put a path from the church to the community center. There is a brook there so that was a concern. MR will go out to check things out with ST.

2. RC-clarify with DPW whether or not there should be compensatory storage for above ground pools.

3. Fee for everyone to be part of MACC. Motion to approve payment of membership, ST, second DB, so vote.

Motion to adjourn, ST, second DB, so voted. Meeting ended at 9:00pm.